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ITS DOUBLE LOSS.

The Hawaiian Bar Honors the Memory of Carter and Castle.

Memorial Session of the Supreme Court with Circuit Court Participating.

There was a memorial session of the Supreme Court in term this morning. Present: A Francis Judd, Chief Justice; Richard F. Bickerton, First Associate Justice; Walter F. Frear, Second Associate Justice; Judges W. A. Whiting and H. E. Cooper, of the First Circuit Court, were seated upon the bench to the left of the Supreme Court Justices. S. B. Dole, President of the Republic and a former Justice of the Supreme Court, sat facing the bench.

Members of the Bar present were as follows: W. O. Smith (Attorney General), F. M. Hatch (Minister of Foreign Affairs), A. G. M. Robertson (Deputy Attorney General), A. S. Hartwell, Cecil Brown, Paul Neumann, J. M. Monsarrat, J. A. Magoon, W. C. Parke, W. C. Achi, J. Barenaba, Enoch Johnson, J. K. Kahookano, S. K. Kane, A. G. Correa, Antonio Perry (District Magistrate), W. Luther Wilcox (Hawaiian interpreter), W. L. Stanley and G. de la Vergne.

Officers of the Court in attendance were: Henry Smith, clerk of the Judiciary Department; George Lucas and C. F. Peterson, deputy clerks; J. W. Jones, stenographer; Chester A. Doyle, Japanese interpreter; A. A. Wilder, substitute stenographer, and A. McGurn, crier. Benj. L. Marks, stenographer in Mr. Hatch's law office, acted as Court reporter for the nonce.

Spectators were present as follows: Prof. W. D. Alexander, Senator Henry Waterhouse, Curtis P. Lauka, Sir Robert Herron, Dr. C. T. Rodgers, R. A. Scott (brother-in-law of the late C. L. Carter), G. E. Wilder, Jas. A. Wilder, and the following representatives of the press: E. Towse, editor, and L. D. Timmons, reporter of the Star; J. U. Kawai-nui, editor of the Kuokoa, and D. Logan, editor of the BULLETIN.

Attorney-General Smith in a few preliminary words brought to the attention of the Court the lamentable fact of two vacancies in the Bar caused by the decease of Charles Lunt Carter and Henry Northrup Castle.

Deputy Attorney General Robertson spoke feelingly of the memory of Mr. Carter. He was his school-mate at Fort-street school. At that time he did not appear to be studious above the ordinary, but his arguments in court after beginning practice showed that he had made diligent use of the intervening time, evincing as they did assiduous study and profound research. As a man Charles Carter was manly, courteous and upright. He was a graceful and fluent speaker. The speaker recalled Mr. Carter's able services in the Constitutional Convention with intense admiration. Although his end was tragic it would bear rich fruit for the good of his country. Mr. Robertson then read the following resolutions:

WHEREAS,—The Almighty has been pleased to remove from our midst the Honorable Charles L. Carter, a member of the Hawaiian Bar;

Resolved,—That in the untimely death of Mr. Carter the community has lost a faithful and patriotic citizen, and the Bar a brilliant and valuable member;

Resolved,—That we hereby express to the family of the deceased our sincere sympathy with them in their bereavement;

Resolved,—That the Court be requested to spread these resolutions upon its records.

Mr. Hatch moved the adoption of the resolutions. High on the roll of honor would be placed the name of Charles Lunt Carter. His death was due to an unflinching response to the call of duty. Few men had more to live for than he, yet he did not hesitate to face death in the cause of his country. The speaker closed with a eulogy upon the noble and generous manner in which the lamented gentleman had lived and died.

Mr. Neumann seconded the motion. It was an occasion sad beyond expression. He had the satisfaction of meeting Mr. Carter the first time that he set out in the practice of his profession. They had fallen into friendly relations, as it were, naturally from the start. When placed in opposition to him as counsel their contests had been pleasant. Physically, mentally and professionally few young men had brighter hopes. They all knew how he had come to his death. He did that noblest thing that anybody could do—sacrificed his life at the call of duty. The speaker felt that he had lost a personal friend, both professionally and socially. There was no saying what Carter's possibilities were. He could have made his mark in a much larger country than these little pent-up islands. No higher destiny, however, could a young man want than to die in defense of a cause. His death was a loss to the community. Who could but weep when they considered his cutting-off in the midst of promise, leaving a loyal wife and two bright children. Charles L. Carter seemed to have followed in the footsteps of his father (the late Henry A. P. Carter, Hawaiian Minister at Washington for many years), in devoting his life to his country's service. There was in his heart a large space for that ambition to serve his country and his Maker. It was fitting that they should use that little time to perpetuate the memory of their deceased friend, and to extend consolation to his mother and his wife. No man could have lived better, and no man could have died better.

Mr. Kane spoke feelingly in Hawaiian. His address was not interpreted, but those who understood it are high in its praise.

Judge Perry said it was fitting they should pause in the midst of their ordinary labors to reflect on the uncertainties of life. He desired to say a few words on the career of the late Mr. Carter, who had not entered actively on the practice of his profession. He chose to serve his country in another way. After helping in the early work of establishing the new government, thinking there was no more danger, he went to Germany to pursue his studies. When he heard of the recent trouble he lost not a moment in starting for home, but went down in the steamer Elbe. He died in pursuing a noble purpose. The speaker submitted the following resolutions:

WHEREAS,—It has pleased Almighty God to remove from our midst Henry Northrup Castle, a member of the Hawaiian Bar;

Resolved,—That we the members of the said Bar hereby express our appreciation of the fact that in his passing away a great loss has befallen us, the loss of one who devoted his whole life to most diligent and faithful study and who successfully directed the energies of his clear mind, the better equipped by such study, to the well-being and advancement of the people of Hawaii, and who, ever keeping in view and acting upon the principle that the highest aim in life is the performance of duty, met his death while answering the call of such duty;

Resolved,—That we deeply mourn his loss, and that our sympathy goes out to his bereaved relatives in this their hour of affliction, and further

Resolved,—That we ask that these resolutions be spread upon the minutes of this Court.

Mr. Hartwell moved the adoption of the resolutions. In the history of every nation that was worthy to be called a nation there were times when every man counted. It was the good fortune of their late friend, Henry Castle, as it was of Charles Carter, to devote himself to the purifying and the improving of his own country. They both felt that

their country was worth living for and worth dying for. Henry Castle was a brave, high-spirited and patriotic public man. He appeared to be an ideal scholar. Wealth and rank and power had but small attractions for him. He had a remarkably acute and logical mind. Though only a short time in practice he displayed profound and philosophical acquaintance with law and especially the common law. He did not seem to take to law for the purpose of practice but as a study. The speaker thought it would have been better if their late brother had trained himself for high-class journalism. His mind was broader than this community. He hated shams and duplicity. Although he inherited puritanical ideas they seemed to bring out the quality of bohemianism which he undoubtedly possessed. He had also imbibed socialism, but it was that of the most humane and elevated exponents of that line of thought. The speaker believed Mr. Castle had a reverential nature withal, though the saintly old doctrines did not commend themselves to him on account of their antiquity. He was a modern in the best sense of the word. The speaker believed that he found in the Sermon on the Mount and in the teachings of the Saviour that which he lived by. If Henry Castle's life had been prolonged he would have been an eminent member of the Hawaiian community.

Mr. Magoon said the sacrifice for constitutional liberty in Hawaii was not complete when Charles Lunt Carter died, and when the word of danger went over the seas Henry N. Castle immediately responded to the call. He had fought wisely and well, but when he thought the danger was over he went to Germany to further enrich his mind. The speaker eulogized the newspaper work of Mr. Castle, and made a touching reference to his loss, with his motherless child, in the ill-fated steamer Elbe. It was not their good fortune to have met him often in the forum, but his qualities proved that he would have been an ornament to the Bar. There was no position in the country that he could not have filled. He was a dutiful son, a model husband and a useful member of the community.

Attorney General Smith said that never before had that Bar been called to mourn the loss of members so young. It had done honor to the memory of lawyers advanced in years and in honors, some of whose portraits were hung on those walls. What he desired to emphasize was recognition of their departed young brethren's fidelity to their profession and their work. It took a high order of courage to face death on the battle field and on the raging sea, but it also required courage to be faithful in the practice of law. Mr. Smith referred to the great earnestness with which Senator Morgan spoke of the sacrifice of Mr. Carter, and closed by saying that, while they respected his and Mr. Castle's physical courage, they should also respect their fidelity.

Justice Frear had been deeply impressed with the death of these two members of the Bar. He had been acquainted with them from childhood. Charles Carter lived in a different part of the town from him, but Henry Castle was his school-mate and almost daily his playmate. Both their departed friends had lived lives of honor and usefulness. They were different in many respects and alike in many. Both were useful, industrious and of high character. Mr. Castle was studious, Mr. Carter practical. Each gave time, talent and study to public affairs. Neither lived his life in vain, and, in either case, who could say how much they had accomplished and how much will be accomplished through their lives and deaths?

Chief Justice Judd remarked upon the peculiar patriotism of these men in that it was for their own native country that it was developed. After passing a eulogy upon the talents, characters and bravery of both men, the Chief Justice ordered the resolutions spread upon the records of the Court.

The Court then adjourned till 10 o'clock Thursday morning.

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